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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP 180

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APPLICATION DIVISION

In re Application of

JON DONSON et al.,

Serial No. 07/923,692

Filed: July 31, 1992

For: RECOMBINANT PLANT VIRAL  
NUCLEIC ACIDS

Group Art Unit: 1804

Examiner:

INFORMATION DISCLOSURE  
STATEMENT

2001 Ferry Building  
San Francisco, CA 94111

Docket No. BIOG 20121  
USA

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir/Madam:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 C.F.R. §1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in §37 CFR§1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks,

Washington, DC 20231 on December 22, 1992

LIMBACH & LIMBACH

Dated: 12/22/92 by Donet Kennedy

or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$200) set forth in 37 CFR \$1.17(p) or a certification as specified in 37 CFR \$1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$130) set forth in 37 CFR \$1.17(i)(1) and a certification as specified in 37 CFR \$1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.**

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith:

☒ each ☐ none ☐ only those listed below:

Except for those items marked with two asterisks (\*\*) which are textbooks or publications currently unavailable to the Applicant but which will be supplied upon the request of the Examiner.

A concise explanation of relevance of the items listed on PTO-1449 is:

☒ not given

☐ given for each listed item

☐ given for only non-English language listed item(s) [Required]


☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,  
LIMBACH & LIMBACH

By:   
Albert P. Halluin  
Reg. No. 25,227  
Tel. No. 415-433-4150

December 22, 1992  
Our File: BIOG 20121 USA